

**REMARKS**

This Amendment is filed in response to the Final Office Action dated April 9, 2008 and Advisory Action dated June 3, 2008, along with a Request for Continued Examination and the associated fee. The Terminal Disclaimer fee of \$130 has been paid via Check No. 35874 on May 20, 2008 along with the previously submitted amendment. All objections and rejections are respectfully traversed.

Claims 1, 3-5, 7-15, and 17-23 are in the case.

Applicant respectfully attaches to this Amendment copies of the foreign cited art not previously considered by the Examiner. Also, the Examiner has maintained the provisional rejection of claims 1-23 on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-20 of copending U.S. Application Serial No. 10/799,231, filed on even date as the present application (now patented as US Patent No. 7,383,484 on June 3, 2008). Applicant has filed herewith a timely filed terminal disclaimer in compliance with 37 C.F.R. §1.321(c) to overcome the double patenting rejection. Claims 1, 3-5, 7-15, and 17-23 are therefore believed to be in condition for allowance.

All independent claims are believed to be in condition for allowance, and all dependent claims are believed to be dependent from allowable independent claims, and therefore in condition for allowance. Favorable action is respectfully solicited.

Please charge any additional fee occasioned by this paper to our Deposit Account  
No. 03-1237.

Respectfully submitted,

/James M. Behmke/  
James M. Behmke  
Reg. No. 51,448  
CESARI AND MCKENNA, LLP  
88 BLACK FALCON AVENUE  
BOSTON, MA 02210  
Telephone: (617) 951-2500  
Facsimile: (617) 951-3927